

The Employment Law Firm
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Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LAWRENCE J. KANSKY, : JURY TRIAL DEMANDED
Plaintiff :
v. : DOCKET NO.: 20-42
LUZERNE COUNTY, et. al. :
Defendants :

MOTION TO WITHDRAW AS COUNSEL

NOW comes counsel for Plaintiff, Lawrence J. Kansky, and files the following Motion to Withdraw as Counsel, and avers as follows:

1. On June 15, 2020, Plaintiff's counsel filed a motion to withdraw as counsel, which was unopposed.
2. On August 17, 2020, Plaintiff hired a new lawyer in 20-43, the companion case. (See attached Docket Sheet, 20-43, Kansky v. City of Wilkes-Barre, et al.).

3. On February 19, 2021, this Court denied the motion to withdraw as Plaintiff's counsel without prejudice.

4. Plaintiff's counsel has not been paid in accordance with her Fee Agreement with Plaintiff.

5. "But neither party identified any prejudice--no one opposed Proskauer's motion, either before the district court or on appeal. And while the district court correctly noted that withdrawal would leave Blech without counsel, this does not amount to severe prejudice. ... As other circuits recognize, compelling attorneys to continue representing clients who refuse to pay imposes a severe burden." Brandon v. Blech, 560 F.3d 536, 538-539 (6th Cir. 2009).

6. Consequently, Plaintiff's counsel requests that this Court allow her to withdraw as counsel, especially since Plaintiff is represented by able counsel in the companion case and he is a lawyer as well and has represented himself in another matter.

WHEREFORE, Plaintiff's counsel requests that this Honorable Court grant this Motion to Withdraw as Counsel and allow Plaintiff 90 days to find new counsel.

Respectfully Submitted:

s/Cynthia L. Pollick
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CERTIFICATE OF NON-CONCURRENCE

Counsel for Defendants does not object to this motion, and by the time of filing Plaintiff's counsel has not heard back from Plaintiff.

s/Cynthia L. Pollick
Cynthia L. Pollick, Esquire

CERTIFICATE OF SERVICE

Cynthia L. Pollick, Esquire, hereby certifies that on March 26, 2021, she served a copy of the Motion to Withdraw as Counsel for Plaintiff by serving a copy via electronically on Defendants' counsel:

Sean P. McDonough, Esquire
Dougherty Leventhal & Price LLP
75 Glenmaura National Blvd.
Moosic PA 18507

s/Cynthia L. Pollick
Cynthia L. Pollick, Esquire